

RCE

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/539,888
Filing Date: December 12, 2005
First Named Inventor: Johannes Kalhoff
Group Art Unit: 2121
Examiner Name: Ryan A. Jarrett
Attorney Docket Number: 2133.095USU
CUSTOMER NO.: 27,623



This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. _____ Previously submitted

i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____

iii. _____ Other _____

b. XXXXX Enclosed

i. XXXXX Amendment with transmittal

ii. _____ Affidavit(s)/Declaration(s)

iii. XXXXX Information Disclosure Statement (IDS), PTO-1449, and copy of non-U.S. reference

iv. XXXXX Other: Replacement Drawing for Figure 1

2. **Miscellaneous**

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. _____ Other _____

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. XXXXX The Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayments to **Deposit Account No. 01-0467**.

i. XXXXX RCE fee (\$810.00) required under 37 C.F.R. §1.17(e)

ii. XXXXX Extension of Time Fee (\$130) required under 37 C.F.R. §§ 1.136 & 1.17

iii. _____ Other _____

b. XXXXX Check in the amount of **\$940.00** is enclosed

c. _____ Payment by credit card (Form PTO-2038 enclosed)

February 26, 2010

Date of Signature

Charles N.J. Ruggiero

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 26, 2010.

Alice Crowe

NAME

SIGNATURE

February 26, 2010

DATE